FA No. 39 of 2005
Hon'ble M.M. Ghildiyal, J.
Hon'ble J.C.S. Rawat, J.

Heard.

Present appeal has been filed by the appellant – wife against the judgment and decree dated 28.04.2005 and 06.05.2005 passed by Judge, Family Court, Pauri Garhwal in matrimonial case no. 27 of 2001. The suit was decreed in favour of the respondent – Kedar Singh Bhandari.

Parties have entered into compromise and they have filed terms of settlement on 14.02.2006.

Learned counsel for the appellant has submitted that appellant – wife is receiving the amount from the respondent and as such, she has no grievance.

In view of the aforesaid statement, appeal is disposed of in terms of settlement dated 14.02.2006 arrived between the parties.

(J.C. S. R, J.) **(M.M.G., J.)**

23.09.2006
S.K.S.

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

First Appeal No. 39 for 2005

Seema Devi Bhandari, Wife of Sri Kedar Singh Bhandari, D/o Sri Balam Singh Bisht, Resident of Amit Gram Guhamanawala, Via Rishikesh, Dehradun.

……Appellant

Versus

Kedar Singh Bhandari, son of late Sri Taugi Singh Bhandari, at present through Commander, 1st Battalion, SSB Academy, Sri Nagar Garhwal, District – Pauri Garhwal, resident of village and post – Tall, Patti – Ghaurdor Shu, Tehsil – Pauri, District – Pauri Garhwal.

……..Respondent

Sri D.C.S. Rawat, learned counsel for the appellant.
Sri Pankaj Purohit, learned counsel for respondent.

Coram:
Hon'ble M.M. Ghildiyal, J.
Hon'ble B.C. Kandpal, J.

P.C.-

Heard Sri D.C.S. Rawat, learned counsel for the appellant and Sri Pankaj Purohit, who put an appearance on behalf of respondent.

In this case, both the parties were directed to appear before this court in person.

This appeal is preferred by the appellant under section 19 of Family Court Act read with Section 28 of Hindu Marriage Act against the judgment and decree dated 28.04.2005 and 06.05.2001 passed by Judge, Family Court, Pauri Garhwal in case no. 27 of 2001 (Kedar Singh Bhandari Vs. Smt. Seema Devi Bhandari), which was decreed in favour of Kedar Singh Bhandari and against Smt. Seema Devi Bhandari.

Both the parties were directed to appear before the Additional Registrar of this High Court for reconciliation but the matter could not be materialized. Thereafter, this court made efforts for reconciliation between the parties and a conciliation took place between the parties. Both the parties have now entered into a compromise for one time settlement.

Both the parties have filed terms of settlement before the court and in view of the terms of settlement the respondent / husband shall pay a sum of Rs. 2,00,000/- (Rupees Two Lakhs Only) to the appellant / wife as permanent alimony. The first instalment, out of the total amount of Rs. 50,000/- (Rupees fifty thousand only) shall be paid by 14.05.2006. The second instalment amounting to Rs. 50,000/- (Rupees fifty thousand only) shall be paid by 14.08.2006 and the third instalment of Rs. 50,000/- (Rupees fifty thousand only) shall be paid by 14.02.2007. The rest of the amount of Rs. 50,000/- (Rupees fifty thousand only) shall be deducted from the salary of the respondent / husband in easy instalments of Rs. 2,000/- (Rupees two thousand only) per month.

Personal appearance of both the parties is exempted.

As both the parties have entered into a settlement, list this appeal for further order on 17.05.2006

(B.C. Kandpal, J) **(M.M. Ghildiyal, J)**

February 15, 2006
SKSharma